



AF18/2000

TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No.  
01045 (BLL-0054)

In Re Application Of: DAVID A. SCOTT ET AL

Serial No.  
09/894,498

Filing Date  
June 28, 2001

Examiner  
Gerald Gauthier

Group Art Unit  
2645

Invention: SYSTEM AND METHOD FOR ELECTRONIC MESSAGE STATUS NOTIFICATION  
AND REPLY USING VARIOUS ELECTRONIC MEDIA

RECEIVED

MAR 31 2004

Technology Center 2600

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on January 29, 2004

The fee for filing this Appeal Brief is: \$330.00

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-1130

Signature

Dated: March 26, 2004

David A. Fox  
Registration No. 38,807  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone (860) 286-2929  
Facsimile (860) 286-0115

I certify that this document and fee is being deposited on 3/26/2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Sheila Smedick

Typed or Printed Name of Person Mailing Correspondence

Customer No. 36192

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#15  
UT  
4/2/04

APPLICANT: DAVID A. SCOTT ET AL )  
)  
SERIAL NO.: 09/894,498 ) ART UNIT  
) 2645  
FILED: June 28, 2001 )  
) EXAMINER:  
FOR: SYSTEM AND METHOD FOR ) Gauthier,  
) Gerald  
ELECTRONIC MESSAGE STATUS )  
NOTIFICATION AND REPLY USING )  
VARIOUS ELECTRONIC MEDIA )

**RECEIVED**

MAR 31 2004

I hereby certify that this correspondence is  
being deposited with the United States Postal Service  
with sufficient postage as first class mail in an envelope  
addressed to:

Commissioner for Patents,  
Alexandria, VA 22313-1450 on March 26, 2004  
Sheila Smedick

name Sheila Smedick 3-26-04  
signature date

Technology Center 2600

MS Appeal-Brief Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

APPEAL BRIEF

1. REAL PARTY IN INTEREST

The real party in interest in this Appeal is the Assignee, BellSouth Intellectual Property Corporation.

2. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences known at this time to the Appellant, or the Appellant's legal representatives which will directly affect, or be directly affected by, or have a bearing upon the Board's decision in this appeal.

3. STATUS OF THE CLAIMS

Claims 7-9, 28-30 and 51-53 are pending.

The rejection of claims 7-9, 28-30 and 51-53 is appealed.

4. STATUS OF AMENDMENTS

An amendment after final rejection was filed October 15, 2003. The Advisory Action mailed January 7, 2004 indicated that the amendment will be entered upon filing an appeal. Thus, the amendment filed October 15, 2003 is considered to be entered.

5. SUMMARY OF THE INVENTION

The following is a concise explanation of the invention. Reference to the specification and drawings is made pursuant to 37 CFR 1.192 and is not intended to limit the claims to the embodiments shown and described in the application.

Embodiments of the invention relate to providing status notification to a sender of a message in response to a triggering event. The processing is described at a high level in paragraph [0044] of Appellant's specification. Various different triggering events may be specified by the originator of the message in the form of disposition identifiers. Paragraph [0027] discloses a number of different disposition identifiers to track changes in the status of the message when disposition events occur. The various disposition events allow the originator of a message to indicate the types of events that initiate a status notification. These disposition events are recited in the pending claims and are not taught by the prior art relied upon in the final Office Action.

6. ISSUES

Whether claims 7-9, 28-30 and 51-53 are patentable over Hanson under 35 U.S.C. § 102(e).

7. GROUPING OF CLAIMS

Claims 7, 28 and 51 stand or fall together.

Claims 8, 29 and 52 stand or fall together.

Claims 9, 30 and 53 stand or fall together.

8. ARGUMENT

Prior to discussing the specific claim rejections, an overview of Hanson is provided. Hanson discloses a message notification system in which a caller can receive a notification of whether a message was delivered or was undeliverable (column 1, lines 50-52). The system may be used to notify a collect caller that a message left through a collect call has been delivered (column 1, lines 7-9). In Hanson, a notification is generated to the calling party only upon two occurrences, either the delivery of the message or cancellation of the message (column 4, lines 45-50). As described in Hanson, the cancellation of the message corresponds to a failure to deliver the message (column 5, line 51 to column 6, line 29). Thus, only message delivery and failure of message delivery (referred to as cancellation) are taught in Hanson as conditions for generating a status notification to the calling party (column 6, lines 3-12).

Claims 7-9, 28-30 and 51-52 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hanson. Claims 7, 28 and 51 stand or fall together as these claims recite similar disposition events distinct from the disposition events recited in the other claims. Thus, claims 7, 28 and 51 are separately patentable from the other claims. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP § 2131. As discussed below, Hanson fails to teach the disposition events recited in claims 7, 28 and 51.

Claim 7 recites “disposition event comprises at least one of a managing event and a dispatching event, wherein said managing event comprises at least one of: accessing said message; deleting said message; presenting an indication of said message; expiring said message; and terminating a recipient of said message from said communications network.” Hanson does not teach any of the identified disposition events in claim 7. As noted previously, Hanson teaches two disposition events, namely message delivery and failure of message delivery. Hanson fails to teach any of the disposition events recited in claim 7 and thus cannot anticipate claim 7.

For the above reasons, claim 7 is patentable over Hanson. Claims 28 and 51 includes disposition events similar to those in claim 7 and are patentable over Hanson for at least the reasons advanced with respect to claim 7.

Claims 8, 29 and 52 stand or fall together as these claims recite similar disposition events, distinct from the disposition events recited in the other claims. Thus, claims 8, 29 and 52 are separately patentable from the other claims. As discussed below, Hanson fails to teach the disposition events recited in claims 8, 29 and 52.

Claim 8 recites "disposition event comprises at least one of a managing event and a dispatching event, wherein said managing event comprises at least one of: denying said status notification of said message; and malfunctioning of said status notification of said message." Hanson does not teach any of the identified disposition events in claim 8. As noted previously, Hanson teaches two disposition events, namely message delivery and failure of message delivery. These events do not correspond to the events recited in claim 8. Hanson fails to teach any of the disposition events recited in claim 8 and thus cannot anticipate claim 8.

For the above reasons, claim 8 is patentable over Hanson. Claims 29 and 52 includes disposition events similar to those in claim 8 and are patentable over Hanson for at least the reasons advanced with respect to claim 8.

Claims 9, 30 and 53 stand or fall together as these claims recite similar disposition events, distinct from the disposition events recited in the other claims. Thus, claims 9, 30 and 53 are separately patentable from the other claims. As discussed below, Hanson fails to teach the disposition events recited in claims 9, 30 and 53.

Claim 9 recites "disposition event comprises at least one of a managing event and a dispatching event, wherein said dispatching event comprises at least one of: forwarding said message; and replying to said message." Hanson does not teach any of the identified disposition events in claim 9. As noted previously, Hanson teaches two disposition events, namely message delivery and failure of message delivery. These events do not correspond to the events recited in claim 9. Hanson fails to teach any of the disposition events recited in claim 9 and thus cannot anticipate claim 9.

For the above reasons, claim 9 is patentable over Hanson. Claims 30 and 53 includes disposition events similar to those in claim 9 and are patentable over Hanson for at least the reasons advanced with respect to claim 9.

Appellant respectfully requests that the rejection of claims 7-9, 28-30 and 51-53 be reversed.

If there are any additional charges with respect to this appeal, or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Appellant's Attorneys.

Respectfully submitted,

BellSouth Intellectual Property Corporation

By: 

David A. Fox  
Registration No. 38,807  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone (860) 286-2929  
Facsimile (860) 286-0115  
Customer No. 36192

Date: March 26, 2004

## APPENDIX

7. A method for providing a status notification or reply for a message in a communications network comprising:

- assigning a message identifier and a destination identifier to said message in response to a request of said status notification or reply, <sup>from an originated caller.</sup> the destination identifier comprising a destination format and a destination address;
- storing said message with said message identifier and said destination identifier;
- generating said status notification or reply addressed and formatted according to said destination identifier, in response to a triggering event; <sup>from a recipient.</sup>
- assigning a disposition identifier to said message to track a change to a status of said message, said disposition identifier responding to a disposition event, the triggering event comprising the disposition event wherein said disposition event comprises ~~at least one of~~ a managing event and a dispatching event,
- wherein said managing event ~~comprises at least one of:~~
  - accessing said message;
  - deleting said message;
  - presenting an indication of said message;
  - expiring said message; and
- terminating <sup>the</sup> a recipient of said message from said communications network.

? selected from a group comprising

8. A method for providing a status notification or reply for a message in a communications network comprising:

- assigning a message identifier and a destination identifier to said message in response to a request of said status notification or reply, the destination identifier comprising a destination format and a destination address;
- storing said message with said message identifier and said destination identifier;
- generating said status notification or reply addressed and formatted according to said destination identifier, in response to a triggering event;
- assigning a disposition identifier to said message to track a change to a status of

said message, said disposition identifier responding to a disposition event, the triggering  
1) event comprising the disposition event wherein said disposition event comprises at least  
~~one of a managing event and a dispatching event.~~

13 wherein said managing event comprises at least one of:  
denying said status notification of said message; and  
malfunctioning of said status notification of said message.

9. A method for providing a status notification or reply for a message in a  
communications network comprising:

4 assigning a message identifier and a destination identifier to said message in  
response to a request of said status notification or reply, the destination identifier  
comprising a destination format and a destination address;  
storing said message with said message identifier and said destination identifier;  
generating said status notification or reply addressed and formatted according to  
8 said destination identifier, in response to a triggering event,

assigning a disposition identifier to said message to track a change to a status of  
said message, said disposition identifier responding to a disposition event, the triggering  
11 event comprising the disposition event wherein said disposition event comprises at least  
~~one of a managing event and a dispatching event,~~

13 wherein said dispatching event comprises at least one of:  
forwarding said message; and  
replying to said message.

28. A system to provide a status notification or reply for a message in a communications  
network comprising:

a processor for prompting a message sender to assign a message identifier and a  
destination identifier for said message in response to a request of said status notification  
5 or reply, the destination identifier comprising a destination format and a destination  
address, said processor associating said message identifier and said destination identifier  
with said message, and said processor generating said status notification or reply  
addressed and formatted according to said destination identifier, in response to a

- 9 triggering event, wherein said processor is further operative to assign a disposition identifier to said message to track a change to a status of said message, said disposition identifier responding to a disposition event, said triggering event including said
- 11 disposition event, wherein said disposition event comprises ~~at least one of~~ a managing event and a dispatching event,
- 12 wherein said managing event <sup>selected from a group comprising of</sup> comprises ~~at least one of~~:
- accessing said message;
  - deleting said message;
  - presenting an indication of said message;
  - expiring said message; and
- 13 terminating a recipient of said message from said communications network.

29. A system to provide a status notification or reply for a message in a communications network comprising:

- a processor for prompting a message sender to assign a message identifier and a destination identifier for said message in response to a request of said status notification
- 5 or reply, the destination identifier comprising a destination format and a destination address, said processor associating said message identifier and said destination identifier with said message, and said processor generating said status notification or reply ✓ addressed and formatted according to said destination identifier, in response to a
- 9 triggering event, wherein said processor is further operative to assign a disposition identifier to said message to track a change to a status of said message, said disposition identifier responding to a disposition event, said triggering event including said
- 12 disposition event, wherein said disposition event comprises ~~at least one of~~ a managing event and a dispatching event,
- 14 wherein said managing event comprises ~~at least one of~~:
- denying said status notification of said message; and
  - malfunctioning of said status notification of said message.

30. A system to provide a status notification or reply for a message in a communications network comprising:

a processor for prompting a message sender to assign a message identifier and a destination identifier for said message in response to a request of said status notification or reply,<sup>5</sup> the destination identifier comprising a destination format and a destination address, said processor associating said message identifier and said destination identifier with said message, and said processor generating said status notification or reply addressed and formatted according to said destination identifier, in response to a triggering event,<sup>9</sup> wherein said processor is further operative to assign a disposition identifier to said message to track a change to a status of said message, said disposition identifier responding to a disposition event, said triggering event including said disposition event, wherein said disposition event comprises ~~at least one of a managing event and a dispatching event,~~  
<sup>12</sup> wherein said dispatching event comprises ~~at least one of:~~  
<sup>14</sup> forwarding said message; and  
replying to said message.

51. A system to provide a status notification or reply for a voicemail message in an advanced intelligence network (AIN) comprising an intelligent peripheral operative to:  
prompt a message sender to assign a message identifier and a destination  
<sup>4</sup> identifier for said message in response to a request of said status notification or reply,<sup>5</sup> the destination identifier comprising a destination format and a destination address;  
associate said message identifier and said destination identifier with said message;  
and  
generate said status notification or reply addressed and formatted according to  
<sup>10</sup> said destination identifier, in response to a triggering event,<sup>11</sup>  
wherein said intelligent peripheral is further operative to assign a disposition identifier to said message to track a change to a status of said message, said disposition identifier responding to a disposition event, said triggering event including said  
<sup>14</sup> disposition event wherein said disposition event comprises ~~at least one of a managing event and a dispatching event;~~  
<sup>16</sup> wherein said managing event <sup>selected from a group comprising</sup> ~~comprises at least one of:~~  
accessing said message;

deleting said message;  
presenting an indication of said message  
expiring said message; and  
terminating a recipient of said message from said AIN.

52. A system to provide a status notification or reply for a voicemail message in an advanced intelligence network (AIN) comprising an intelligent peripheral operative to:

- prompt a message sender to assign a message identifier and a destination  
4 identifier for said message in response to a request of said status notification or reply, the  
destination identifier comprising a destination format and a destination address;  
associate said message identifier and said destination identifier with said message;  
and  
generate said status notification or reply addressed and formatted according to  
10 said destination identifier, in response to a triggering event,  
wherein said intelligent peripheral is further operative to assign a disposition  
identifier to said message to track a change to a status of said message, said disposition  
identifier responding to a disposition event, said triggering event including said  
14 disposition event wherein said disposition event comprises ~~at least one~~ of a managing  
event ~~and a dispatching event~~;  
16 wherein said managing event comprises ~~at least one of~~:  
denying said status notification of said message; and  
malfunctioning of said status notification of said message.

53. A system to provide a status notification or reply for a voicemail message in an advanced intelligence network (AIN) comprising an intelligent peripheral operative to:

- prompt a message sender to assign a message identifier and a destination  
4 identifier for said message in response to a request of said status notification or reply, the  
destination identifier comprising a destination format and a destination address;  
associate said message identifier and said destination identifier with said message;  
and

generate said status notification or reply addressed and formatted according to  
10 said destination identifier, in response to a triggering event;

wherein said intelligent peripheral is further operative to assign a disposition  
identifier to said message to track a change to a status of said message, said disposition  
identifier responding to a disposition event, said triggering event including said  
14 disposition event wherein said disposition event comprises ~~at least one of a managing-~~  
~~event and~~ a dispatching event;

16 wherein said dispatching event comprises ~~at least one of:~~  
forwarding said message; and  
replying to said message.